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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO.       |
|---|-------------|----------------------|-------------------------|------------------------|
| 10/767,243  | 01/27/2004  | Mohammad Ali Saffari | 112300-1794             | 8934                   |
| 7590<br>Bell, Boyd & Lloyd LLC<br>P.O. Box 1135<br>Chicago, IL 60690-1135 | 07/11/2008  |                      | EXAMINER<br>KIM, ANDREW |                        |
|   |             |                      | ART UNIT<br>3714        | PAPER NUMBER           |
|   |             |                      | MAIL DATE<br>07/11/2008 | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/767,243             | SAFFARI ET AL.      |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | ANDREW KIM             | 3714                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 28 February 2008.
- 2a) This action is **FINAL**.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-39,42-52 and 55-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-39,42-52 and 55-59 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 27 January 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/28/08</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|  | 6) <input type="checkbox"/> Other: _____.                         |

## DETAILED ACTION

### ***Response to Amendment***

This office action is in response to the amendment filed on 2/28/08 in which:

- Claims 1, 22, 34, 42 and 52 have been amended.
- Claims 53 and 54 are cancelled.
- Response to claims rejection have been filed.
- Claims 1-39, 42-52 and 55-59 are currently pending.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 1-39 and 42-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiss (US 6,511,377) in view Walker et al (US 6,168,522) and further in view of Bell et al. (US 5,919,091).**

Claims 1, 22, 52. Weiss discloses an invention operated under the control of a processor, said gaming device comprising:

a wagering game controlled by the processor (fig. 1);

a display device controlled by the processor (fig. 1);

an input device operably connected to the processor, the input device including a cashout selector (fig. 1); and

a cash out menu displayed by the display device when a player selects the cashout selector,

the cash out menu simultaneously displaying at least two different cashout options enabling the player to request a payout to the player of a first amount of a certain credit total displayed by the display device in a first form and a transfer of a second amount of the certain credit total to a casino account, wherein the first form is different than the casino account and the first and second amounts are both deducted from the certain credit total (fig. 4, fig. 8, withdrawals, col. 15, 16, 20:16-22, 21:15, 24:36-59).

However, since the applicant is not satisfied with the description of the payout hopper, Walker has been introduced to teach that it would have been obvious to modify Weiss with a hopper controller to control the amount of currency to be received by or dispensed from the hopper as well as a touch screen or any other suitable data input means that allows the player to request an amount to be dispensed from the slot machine. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Weiss with a hopper controller and means to allow the player to request an amount to be dispensed from the slot machine to provide control over the amount of currency to be received by or dispensed from the hopper.

Weiss substantially discloses the invention as claimed but fails to explicitly teach wherein the cashout menu simultaneously discloses two different options. However, in an analogous reference, Bell teaches a redemption apparatus and gaming machine rolled into one machine. It would have been obvious to one of ordinary skill in the art to modify Weiss by combining the two devices together to save floor space to make more room for more slot machines which increases casino profits.

Claims 2, 23. Weiss discloses an invention wherein the wagering game is selected from the group consisting of: slot, poker, keno, blackjack, craps and bingo (col. 7, line 12).

Claims 3, 53. Weiss discloses an invention wherein the first form is selected from the group consisting of: coins, tokens, a ticket, a credit card crediting, a debit card crediting, a promotional ticket, a jackpot ticket and any combination thereof (summary, col. 2-4).

Claims 4, 24. Weiss discloses an invention wherein the casino account is accessible via a player tracking card (col. 3, lines 56-67).

Claims 5, 25. Weiss discloses an invention wherein the casino account is communicated through a player tracking card network (col. 3, lines 41-55).

Claims 6, 26. Weiss discloses an invention wherein the casino account is accessible with a device different than a player tracking card (col. 3, line 15).

Claims 7, 27. Weiss discloses an invention wherein the casino account is communicated through a network different than a player tracking card network (col. 3, line 15).

Claims 8, 28. Weiss discloses an invention wherein the casino account is communicated through a ticketing network (col. 20).

Claims 9, 30. Weiss discloses an invention wherein the casino account is accessible at multiple casinos (fig. 1).

Claims 10, 31. Weiss discloses an invention wherein the casino account is accessible for non-gaming purchases (col. 7).

Claims 11, 32. Weiss discloses an invention wherein the casino account is accessible for transferring funds between multiple machines (fig. 8).

Claims 12, 29. Weiss discloses an invention wherein said the cashout menu includes a selector that enables the player to select the first amount (fig. 4a).

Claims 13, 29. Weiss discloses an invention wherein the cashout menu includes a selector that enables the player to select the second amount (fig. 4a).

Claim 14. Weiss discloses an invention wherein the cashout menu includes input devices configured so that the first and second amounts do not necessarily add to a total cash out (claim 2).

Claims 15, 33. Weiss discloses an invention wherein increasing the first amount automatically decreases the second amount and increasing the second amount automatically decreases the first amount (col. 7).

Claim 16. Weiss discloses an invention wherein the cash out menu includes a display of an addition of the first amount of the player's money and the second amount of the player's money (col. 11 and 12).

Claim 17. Weiss discloses an invention wherein the cash out menu includes a cancel selector that cancels the request (fig. 4a).

Claim 18. Weiss discloses an invention wherein the cash out menu includes a selector that returns the player to the wagering game (fig. 4).

Claim 19. Weiss discloses an invention wherein the cash out menu includes a selector that enables the player to transfer funds between multiple machines (fig. 8).

Claims 20, 21. Weiss discloses an invention wherein the game is provided via a data network to a computer storage device (col. 17, line 11).

Claim 34. A networking system for a plurality of gaming devices, said system comprising:

a plurality of gaming devices located at a gaming establishment, each gaming device operating a game upon a wager by a player (col. 7, lines 1-25);

a server computer and a communications link linking the server computer to the plurality of gaming devices (col. 7, lines 25-45); and

a fund transfer account program stored by a memory device, said program executable by the server computer, for at least one of said gaming devices:

(a) cause said gaming device to selectively display a cashout menu

(b) enable the player to transfer a first amount of a certain credit total display by said gaming device to a casino account using said cashout menu

(c ) enable the player to request a payout of a second amount of the certain credit total in a selectable form using said cashout menu, wherein the first amount may be retrieved at a later time and the first and second amounts are deducted from the certain credit total (fig. 8, withdrawals, col. 15, 16, 20:16-22, 21:15, 24:36-59).

However, since the applicant is not satisfied with the description of the payout hopper, Walker has been introduced to teach that it would have been obvious to modify Weiss with a hopper controller to control the amount of currency to be received by or dispensed from the hopper as well as a touch screen or any other suitable data input means that allows the player to request an amount to be dispensed from the slot

machine. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Weiss with a hopper controller and means to allow the player to request an amount to be dispensed from the slot machine to provide control over the amount of currency to be received by or dispensed from the hopper.

Claim 35. Weiss discloses an invention wherein the server computer is located in the same establishment as the multiple gaming devices (fig. 1).

Claim 36. Weiss discloses an invention wherein the server computer is located in a different establishment than the multiple gaming devices (fig. 1).

Claim 37. Weiss discloses an invention wherein the communications link also communicates ticketing information to and from the gaming devices (col. 20).

Claim 38. Weiss discloses an invention wherein the server computer also controls a player tracking program offered by the establishment (col. 7).

Claim 39. Weiss discloses an invention wherein the communications link also communicates player tracking information from the gaming devices (col. 7).

Claim 42. Weiss discloses an invention wherein the selectable form is selected from the group consisting of: coins, tokens, a ticket, a credit card crediting a debit card crediting, a player tracking card crediting, a jackpot crediting and any combination thereof (fig. 4a, col. 15 and 16, withdrawals).

Claim 43. Weiss discloses an invention wherein the player is enabled to retrieve selectable portions of the first amount at the later time (fig. 8).

Claim 44. Weiss discloses an invention wherein the player is enabled to retrieve the first amount at one of the gaming devices (fig. 8).

Claim 45. Weiss discloses an invention wherein the player is enabled to retrieve the first amount at a location distinct from the gaming device (col. 16, line 37).

Claim 46. Weiss discloses an invention wherein the gaming device is a first gaming device, and wherein the first amount is able to be retrieved at a second gaming device (fig. 8).

Claim 47. Weiss discloses an invention wherein a portion of the first amount is able to be retrieved at a third gaming device (fig. 8).

Claim 48. Weiss discloses an invention wherein the player is a first player and the first amount is able to be retrieved at the second gaming device by a second player (col. 9, line 20).

Claim 49. The system of claim 46, wherein the monetary amount is able to be retrieved at the second gaming device by the same player (fig. 8).

Claim 50. Weiss discloses an invention wherein the casino account is accessed via a card accepted by one of the gaming devices, and wherein the card is additionally accepted at locations within a gaming establishment that are distinct from the gaming devices (background).

Claim 51. Weiss discloses an invention wherein the card is additionally accepted at locations outside the gaming establishment (background, system of claim 50).

Claim 54. Weiss discloses an invention wherein step (a) includes providing the menu when the player selects a cash out input device provided on the gaming device (col. 7).

Claim 55. Weiss discloses an invention wherein step (a) includes displaying on the menu the sum of the first portion and the second portion of the certain credit total (claim 2).

Claim 56. Weiss discloses an invention wherein step (a) includes displaying on the menu an input that triggers payment of certain credit total in the first form (fig. 4a).

Claim 57. Weiss discloses an invention wherein step (a) includes displaying on the menu an input that triggers a crediting of certain credit total to the casino account (fig. 4a).

Claim 58. Weiss discloses an invention which includes enabling the player to transfer a third portion of the amount to a different gaming device (fig. 8).

Claim 59. Weiss discloses a ticketing system accessible through the gaming devices (col. 20).

### ***Response to Arguments***

Applicant's arguments filed 2/28/08 have been fully considered but they are not persuasive.

Regarding the term “simultaneously displaying”, Weiss discloses (fig. 4) two different cashout options, “yes and no.” The term option should be clearly defined in the claim.

Regarding the redemption apparatus argument, the gaming device of the claimed invention need only to enable a player to cashout. Thus, when the player returns funds to the account (3:26), the player is then enabled to cashout at the redemption apparatus.

Regarding the term “cashless” in the title of the invention, regardless of the intention of Weiss, the specification describes a hopper. Walker is merely used as an example to show what would obviously be built with a hopper. In addition, the term cash is not used in the instant application's independent claims.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDREW KIM whose telephone number is (571)272-1691. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

7/11/2008 /A. K./  
Examiner, Art Unit 3714

/XUAN M. THAI/  
Supervisory Patent Examiner, Art Unit 3714

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